



TO: WINERIES, IMPORTERS AND WHOLESALERS LABEL APPROVAL REGISTRATION

RE: LABEL APPROVAL FOR WINE, CIDER AND LOW ALCOHOL BEVERAGES

To submit Labels for approval through our Online Product Registration System, please contact us at (804) 219-2034 or email us at productapproval@abc.virginia.gov for instructions.

Listed below are requirements for submitting label approvals through the mail. Please submit with a cover letter listing the brand name, types of products, check number and check amount.

1. Copy of Federal Label Approval showing all labels affixed to container if required by Federal Government.
2. A complete set of original labels (including front, back and any other labels affixed to container) unattached to paper for our files. A 750 ML label is the preferable size. Once the label is approved it can be sold in any federally approved size. If you wish to have all sizes viewed on our website, a \$30.00 fee is required for each size; however, this is not a requirement.
3. Fee in the amount of \$30.00 for each label submitted. Please make check payable to Virginia Department of ABC. The fee is non-refundable and non-transferable. However, if the label cannot be approved due to incorrect data or missing information the application is held open for 12 months to allow the applicant to submit the required information. If the information is not received after the 12 months the application is disapproved without any further notice.
4. Importer Designation and Authorization Forms (Attachment A & B).
5. Wine cannot exceed 21% alcohol by volume and Low Alcohol Beverages cannot exceed 7.5% alcohol by volume. Cider means any beverage, carbonated or otherwise, obtained by the fermentation of the natural sugar content of apples containing not more than 10% alcohol by volume without chaptalization or containing not more than 7% alcohol by volume regardless of chaptalization.

NOTE: Any wine not purchased by a Virginia Wholesaler for a period of four years will be deleted from our system. If you wish to sell the wine in the future a complete application will be required.

RE: LABEL REVISIONS REQUIREMENTS

Labels must be submitted as label revisions only when label originally registered has been discontinued. Listed below are requirements when label originally registered has been changed.

1. A cover letter must be submitted informing this office of the label change, listing ABC code number, check number and check amount.

2. A copy of the Federal Label Approval for the new label showing all labels affixed to the container if required by Federal Government.
3. A set of original labels (including front, back and any other label affixed to the container) unattached to paper for our files.
4. Fee in the amount of \$30.00 for each label submitted. The fee is non-refundable and non-transferable. However, if the label cannot be approved due to incorrect data or missing information the application is held open for 12 months to allow the applicant to submit the required information. If the information is not received after the 12 months the application is disapproved without any further notice.

REQUIREMENTS FOR GIFT PACKAGES AND COMBINATION PACKAGES APPROVAL

1. A gift package containing wine or beer for which label approval has been granted may be sold without additional approval by the board.
2. All Combination packages (containing non alcoholic products) must be submitted for approval and registration before they can be sold to retailers. If the products are not approved, please obtain approval prior to submission (see the above label approval procedure).
3. Submit with cover letter listing all items contained inside (brand name, brand type, ABC code number), check number, check amount and contact information of person submitting the Combination Package (name, address, e-mail, direct dial phone number).
4. All Combination Packages must be submitted for review as they will be marketed to Virginia Retailers. Specifically, we require the physical bottles inside the package (preferably empty bottles), and legible brochure type artwork (on 8.5 x 11 piece of paper) of the outside of the package must also be submitted. The Combination Package will not be approved if the physical package as it will be marketed to Retailers is not received.
5. Fee in the amount of \$30.00 for each Combination Package submitted. The fee is non-refundable and non-transferrable.

IMPORTER DESIGNATION AND AUTHORIZATION

According to Section 4.1-207 of the Code of Virginia, the Board may grant Wine Importer's licenses, which shall authorize persons located within or outside the Commonwealth to sell and deliver or ship wine, in accordance with the Board Regulations, in closed containers, to persons in the Commonwealth licensed to sell wine at wholesale for the purpose of resale, and to persons outside the Commonwealth for resale outside the Commonwealth.

To obtain a Virginia Wine Importers' license please contact D. B. Gaskill at dallas.gaskill@abc.virginia.gov, or (540) 538-7838 or PO Box 27491, Richmond, VA 23261-7491 OR if you choose to use an overnight service the address is 2901 Hermitage Road, Richmond, VA 23220.

FORM A: IMPORTER DESIGNATION AND AUTHORIZATION FORM (ATTACHMENT A)

Written authorization by the brand owner for the importer to sell and deliver or ship the individual brands into Virginia, as well as to give written authorization for the importer to establish written agreements of a definite duration on behalf of the brand owner, as its authorized representative, with each wholesale licensee to whom the importer sells any brand owned by the brand owner.

FORM B: DESIGNATION OF AUTHORIZED DISTRIBUTOR FORM (ATTACHMENT B)

A current list of all wholesale licensees recognized by the importer as the authorized representative of the brand owner to distribute such brand(s) within Virginia. Under the column “Designated Territory or Primary Area of Responsibility” you must specify the specific counties, and cities designated to each distributor. A general description such as Northern or Southern Virginia is not acceptable. Only one distributor can be assigned a city, or county (towns falls within the county unless a highway number, the name of a river or some other distinguishing marker, divides it).

The territory or primary area of responsibility needs to be specific and cannot overlap. Attachment A and B must show the name of the brand owner in the space provided for NAME OF BRAND OWNER and not the importer, shipper, or authorized agent. The company printed on the label as the Producer and/or Bottler is whom we consider to be the brand owner if other proof of ownership is not provided (e.g.), BATF Basic Permit showing trade names, Trademark Ownership, Contract Agreement, letter from the company printed on the label as producer and/or bottler stating that the product was produced and/or bottled for company submitting application, etc. Attachment A must be signed by the brand owner OR accompanied by a letter from the brand owner authorizing the importer, shipper, distributor, applicant, etc. to be their brand agent, with authority to approve brand labels, appoint distributors, and post prices as required.

On Attachment A where it states Signed by Name of Brand Owner “See Attached Letter” may be placed next to the Name of the Brand Owner and the signature on the letter of authorization will be acceptable for the brand owner’s signature. Attachment A and B must have the signature of the authorized person executing form and title. On Attachment A the name of the company that holds the Virginia Wine importers’ license must be listed in the space provided for NAME OF APPLICANT/LICENSEE and on Attachment B in the space provided for Name of Applicant for Importer's License/or Importer Licensee.

NOTE: Applications will not be processed until Importer Designation and Authorization Form A and Form B are completed and received by this office.

All applications for label approval, label revision, and/or combination/gift packages should be directed to the attention of Virginia Dept of Alcoholic Beverage Control, Tax Management Section, P. O. Box 27491, Richmond, VA 23261-7491 OR if you choose to use an overnight service the address is 2901 Hermitage Road, Richmond, VA 23220. Any questions please e-mail Tax Management at productapproval@abc.virginia.gov, or call (804) 219-2034.

ATTACHMENT A

IMPORTER DESIGNATION AND AUTHORIZATION FORM:

- I. _____ (Name of Brand Owner) is the lawful owner of the brand(s) of beer and/or wine listed in paragraph II and, as the brand owner, hereby authorizes:

Name of Applicant/Licensee _____

Street Address of Applicant/Licensee _____

City/State/Zip _____

Virginia Importer's Number _____

to sell and deliver or ship the same brands of wine and/or beer into the Commonwealth of Virginia pursuant to, and in compliance with, the relevant statutes and regulations of the Commonwealth, which govern beer or wine importer licenses.

- II. The brands which the applicant named in paragraph I is authorized to sell and deliver or ship into Virginia are as follows.

Name of Brands _____

- III. The above named applicant/licensee is hereby designated as the authorized representative of _____ (Name of Brand Owner) for the purpose of establishing written agreements, of a definite duration and within the meaning of the Beer Franchise Act, §§4.1-500, et seq., of the code of Virginia and/or the Wine Franchise act, §§4.1-400 et seq., of the Code of Virginia, with each wholesaler licensee of the Virginia Alcoholic Beverage Control Board to whom the above named importer sells any brand of beer or wine listed in paragraph II.

NOTICE TO BRAND OWNER: By completing and submitting this form, according to Virginia law, the designated Importer will be authorized to enter into agreements for territory assignments with Virginia licensed wholesalers on your behalf. All territory assignments made by your designated Importer are submitted to the Virginia Department of ABC on an Attachment B form and are binding.

- IV. Please check the appropriate statement, below:

- ☐ This is an original authorization from the undersigned brand owner for the brands identified in paragraph II.
- ☐ This is an amendment to an original authorization, adding or deleting brands, which the above named applicant or importer is authorized by the undersigned brand owner to import into Virginia.

Signed by:

Date: _____

Name of Brand Owner

Signature of Person Executing Form and Title

DESIGNATION OF AUTHORIZED DISTRIBUTOR FORM

The undersigned, which is applying for issuance or renewal of an importer's license to sell and deliver or ship the brands of beer and/or wine listed in Paragraph 2 of the attached Importer Designation and Authorization Form Attachment A, hereby files with the Virginia Alcoholic Beverage Control Board this list of wholesaler licensees which are authorized by the undersigned, as the authorized representative of _____ (Name of Brand Owner), to distribute such brands within the Commonwealth of Virginia.

Date: _____

Name of Applicant for Importer's Licensee/or Importer Licensee

Signature of Person Executing Form and Title of Position

Name of Designated Distributor And Distributor License #	License Number	Address of Designated Distributor	Designated Territory or Primary Area of Responsibility
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____
6) _____	_____	_____	_____
7) _____	_____	_____	_____
(Use Supplemental Sheet If Necessary)			